

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No. 5:12-cv-572-BO**

E.S., by and through
his mother and guardian, D.S.,

Plaintiff,

vs.

NORTH CAROLINA STATE
BOARD OF EDUCATION,
by and through William Harrison,
in his official capacity as chairperson, and
NORTH CAROLINA DEPARTMENT
OF PUBLIC INSTRUCTION,
by and through June St. Clair Atkinson,
in her official capacity as State
Superintendent of Public Instruction,

Defendants.

**ORDER TO STAY DISCOVERY
PLANNING CONFERENCE**

This matter is before the Court on Plaintiff's Motion to Stay Discovery Planning Conference Pending Ruling on Plaintiff's Motion to Remand. Because the question of federal court jurisdiction has not yet been ruled upon by this Court and because the Defendants do not object to the Plaintiff's Motion to Stay, the request to stay the requirements outlined in the Court's Order for Discovery Plan, including the Rule 26(f) discovery planning conference and subsequent discovery requirements dependent on the Rule 26(f) meeting, is reasonable until jurisdiction is determined.

Therefore, it is ordered that the Rule 26(f) discovery conference and associated discovery deadlines in this matter are stayed until the Court rules on Plaintiff's Motion to Remand.

SO ORDERED this 7 day of October, 2012.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE